

ZONING ORDINANCE

Town of Hopkinton, New Hampshire



Adopted: November 8, 1988

Amended: March 14, 1989, Town Meeting, Article II

- Rezone an area in West Hopkinton from M-1 to R-3.
- Rezone an area on the northerly side of Patch Road from R-3 to R-4.
- Section IV, Dimensional and Density Requirements.
- Section IV, 4.2 Table of Dimensional Requirements.
- Section IV, 4.3 Explanatory Notes of Table of Dimensional Requirements.
- Section IV, 4.5 Maximum Units Per Development.
- Section IX, 9.4.2 Size of Manufactured Housing Parks.
- Section XIII, 13.4 Indicators of Growth Impact.
- Section XIII, 13.6.1 Phasing Required for Developments.
- Section XVI, 16.6.1, Affordable Housing, Where Allowed.
- Section XVI, 16.6.2 Dwelling Unit Configuration for Affordable Housing.
- Section XVI, 16.6.3 Dwelling Unit Density for Affordable Housing.

Amended: March 13, 1990 Town Meeting, Article II

- Section II, 2.1.B.2.a Bed & Breakfast Home.
- Section III, Table of Uses 3.6.B.2 Bed & Breakfast Home.
- Section III, Table of Uses 3.6.B.3 Hotels, Motels, Inns.
- Section III, Table of Uses 3.6.F.2 Business Offices.
- Section III, Table of Uses 3.6.F.3 Professional Offices.
- Section III, 3.7.3 Home Occupation.
- Section III, 3.7.4 Bed & Breakfast Home.
- Section IV, 4.4.3 Principal Structure.
- Section X, 10.4 Residential Tenting/Recreational Camping Vehicles.

Amended: March 12, 1991 Town Meeting, Article II

- Section III, Table of Uses 3.6.F.16 Beauty Parlor, Barber Shop (note numerical change).
- Section IV, 4.2 Table of Dimensional Requirements.
- Section IV, 4.4.3 Principal Structure.
- Section V, 5.1.2 Expansion of a Non-Conforming Use, deleted in its entirety and substituted new language.
- Section VII, 7.3 Permitted Signs.
- Section XIII, 13.9 Re-adopt Growth Management & Innovative Land Use Control Ordinance.

Amended: March 8, 1994 Town Meeting, Article II

- Section II, 2.1.B.2.B Definition of Buffer (note alphabetical change)
- Section VI, 6.3.F Parking Spaces for Business/Professional Offices
- Section X, 10.4.1 (a) Residential Tenting/Recreational Camping Vehicles, limitations of occupancy at the Hopkinton Fair Grounds.
- Section XII, 12.4 Wetland Delineation.
- Section XVII, Flood Plain Development Ordinance.
- Section XVII, Item I, Definition of Recreational Vehicles.
- Section XVII, Item VIII (2), Placement of Recreational Vehicles.
- Section XVII, Item VIII (2), Change in alphabetical sequence of paragraphs.

Amended: March 14, 1995 Town Meeting, Article II

- Rezone an area near the Hopkinton/Warner Town Line from M-1 to R-4.
- Section II, 2.1.H.1 Definition of Home Occupation (formerly known as).
- Section III, Table of Uses 3.6.F.10 Pet Grooming.
- Section III, Table of Uses 3.6.F (change numerical sequence of Commercial Uses).

Amended: March 14, 1995 Town Meeting, Article II (Continued)

- Section III, Table of Uses 3.6.H.1 Accessory Uses.
- Section III, 3.8 Fair District (overlay).
- Section X, 10.4.1 (a) Residential Tenting/Recreational Camping Vehicles, limitations of occupancy at the Hopkinton Fair Grounds (deleted).
- Section X, 10.4.2 Location of Residential Tenting/Recreational Camping Vehicles.
- Section XI, 6.4.3 Parking Specifications, Surface.
- Section XI, 11.3 Regulator of Location Regulation of Excavation.
- Section XI, 11.7 Professional Review of Proposed Excavation Plans.
- Section XIII, 13.9 Re-adopt Growth Management & Innovative Land Use Control Ordinance.
- Section XVI, 16.6.1 Affordable Housing, Where Allowed.

Amended: March 12, 1996 Town Meeting, Article II

- Section II, 2.1.E.1 Essential Services, change in definition.
- Section III, 3.8.4.2 Fair District (overlay), agency response.
- Section III, 3.8.4.4 Fair District (overlay), additional expenses.
- Section III, 3.8.5 and 3.8.5.1 Non-Fair Uses Permitted without a Special Use Permit.
- Section III, 3.8.5.1.1 (renumbered 3.8.5.1) Fair District Overlay, notification change.
- Section III, 3.8.5.1.2 (renumbered 3.8.5.2) Fair District Overlay, attendance change.
- Section III, 3.8.5.2.2 (renumbered 3.8.6.2) Fair District Overlay, attendance change.
- Section III, 3.8.5.2.3 (renumbered 3.8.6.3) Fair District Overlay, submittal requirement.
- Section III, 3.8.5.2.4 (renumbered 3.8.6.4) Fair District Overlay, notification change.
- Section III, Table of Uses 3.6.E.14 Institutional Uses/Community Facilities, Buildings necessary for the furnishing of non-essential services by a public utility.
- Section III, Table of uses 3.6.E Institutional Uses/Community Facilities (change the numerical sequence of uses)

Amended: March 11, 1997 Town Meeting, Article II

- Section II, 2.1.H.1 Home Occupation, deleting the definition of Home Occupation and substituting the definition of Home Business.
- Section II, 2.1.H.2 Home Occupation, adding new definition and changing numerical sequence of definitions.
- Section II, 2.1.T.1 Telecommuting, adding new definition and changing numerical sequence of definitions.
- Section II, 2.1.T.1 (renumber to 2.1.T.2)
- Section II, 2.1.U.3, Adult Uses, new definition.
- Section III, Table of Uses 3.6.A.8 Home Occupation, changing the words "Home Occupation" to "Home Business".
- Section III, Table of Uses 3.6.A.11 adding the words, "Uses, Adult in accordance with Section III, paragraph 3.9" as a use permitted by special exception in the commercial district.
- Section III, Table of Uses 3.6.A.12 adding the words, "Telecommuting in accordance with Section III, paragraph 3.7.5" as a permitted use in all districts.
- Section III, Table of Uses 3.6.F.18 adding the words, "Uses, Adult in accordance with Section III, paragraph 3.9" as a use permitted by special exception in the commercial district.
- Section III, 3.7.3 Home Business
- Section III, 3.7.5 Telecommuting and Home Occupation
- Section III, 3.9 Use, Adult
- Section III, 3.10 Wireless Telecommunication Facilities
- Section XVII, Item I Flood Plain Development Ordinance, add definition of FEMA, Historic Structure and Substantial Damage.
- Section XVII, Item I Flood Plain Development Ordinance, delete definition of Coastal High Hazard Zone, Flood Hazard Boundary Map and V-Zone.
- Section XVII, Item VIII.2.a Flood Plain Development Ordinance, elevation of new construction or substantial improvement of residential structures.
- Section XVII, Item VIII.1.d Flood Plain Development Ordinance, concerning recreational vehicles (renumber Item VIII.2.d).
- Section XVII, Item IX, Flood Plain Development Ordinance, add Variance and Appeals.

Amended: March 10, 1998 Town Meeting, Article II

- Section II, 2.1.B.2.a Bed and Breakfast Home, change title to Bed & Breakfast Home/Inn.
- Section II, 2.1.B.2.a Bed and Breakfast Home, changing the definition.
- Section II, 2.1.B.2.b Bed and Breakfast Inn, add new definition (renumber existing 2.1.B.2.b as 2.1.B.2.c)
- Section II, 2.1.D.6 Dwelling Unit, changing the definition.
- Section II, 2.1.H.4 Hotel, changing the definition.
- Section II, 2.1.L.2 Lodging Unit, changing the definition.
- Section III, Table of Uses 3.6.B.2 changing the words to “Bed & Breakfast Home/Inn in accordance with Section III, paragraph 3.7.3 and 3.7.4”.
- Section III, Table of Uses 3.6.B.3 Bed and Breakfast Inn as a permitted use in the commercial district, as a use permitted by special exception in all residential districts and as a prohibited use in the industrial district (renumber existing 3.6.B.3 as 3.6.B.4).
- Section III, 3.7.4 Bed and Breakfast Home, change title to Bed and Breakfast Home/Inn.
- Section III, 3.7.4 Bed and Breakfast Home, striking the existing text serving as the preamble and substituting new text.
- Section III, 3.7.4 Bed & Breakfast Home/Inn, increasing the allowable bedrooms.
- Section III, 3.7.4 Bed & Breakfast Home/Inn, increasing the allowable nights.
- Section III, 3.7.4.a Bed & Breakfast Home, concerning the number of lodging units.
- Section III, 3.7.4.b Bed & Breakfast Home, concerning off street parking.
- Section III, 3.7.4 Bed & Breakfast Home, renumber existing items b through g as items c through h.
- Section III, 3.7.4.c Bed & Breakfast Home, concerning meals served to guest.
- Section III, 3.7.4.f Bed & Breakfast Home, concerning length of stay of guest.
- Section III, 3.7.6 Bed & Breakfast Inn.
- Section VI, 6.3.c Bed & Breakfast Home and Bed & Breakfast Inn parking requirements.
- Section VI, 6.3.g Hotel parking requirements.
- Section XIII, 13.3 Growth Management and Innovative Land Use Control Ordinance, update statistical information.
- Section XIII, 13.3 Readopt Growth Management and Innovative Land Use Control Ordinance.

Amended: March 9, 1999 Town Meeting, Article II

- Section II, 2.1.C.2.a Certified Soil Scientist, new definition.
- Section II, 2.1.C.2.b Certified Wetland Scientist, new definition.
- Section II, 2.1.C.2.c Child Care, Day Care Nursery, new definition.
- Section II, 2.1.C.2.d Child Care, Family Group Home, new definition.
- Section II, 2.1.C.2.e Child Care, Family Home, new definition.
- Section II, 2.1.C.2.f Child Care, Group Day Care Center, new definition.
- Section II, 2.1.C.2.g Child Care Preschool Program, new definition.
- Section II, 2.1.C.2.h Child Care, School Age Program, new definition.
- Section II, 2.1.E.1 Essential Services, amends definition.
- Section III, Table of uses 3.6.H.15 insert new use “Child Care Family Group Home in accordance with Section III, paragraph 3.7.7,” permitted by special exception in all districts.
- Section III, Table of Uses 3.6.E.17 Essential Services, referencing definition.
- Section III, Table of Uses 3.6.H.14 delete existing use and insert new use “Child Care Family Home in accordance with Section III, paragraph 3.7.7,” permitted in all districts.
- Section III, 3.7.7 Child Care, outlines special provisions in order to provide child care services.
- Section III, 3.7.8 Unoccupied Utility Structures, inserting new paragraph.
- Section VIII, 8.6.1 Area required for Cluster Developments.
- Section VIII, 8.6.7 Common Open Space required for Cluster Developments.
- Section XII, 12.7.3 (b) Wetlands Conservation District (overlay), clarification concerning wetlands being included in the minimum lot size requirement.
- Section XV, 15.8.4 Equitable Waivers, inserting new paragraph.

Amended: March 13, 2001 Town Meeting, Article II

- Section II, 2.1.A.4 Agriculture, changing definition to make consistent with NH RSA 21:34.
- Section II, 2.1.C.3 Commercial Use, new definition.
- Section II, 2.1.I.1 Industrial Use, new definition.
- Section II, 2.1.S.3-5 Setbacks, changing definitions and inserting explanatory graphic.
- Section III, 3.7.7 (a) Child Care, revise special provisions in order to provide child care services.

Amended: March 13, 2001 Town Meeting, Article II (Continued)

- Section III, 3.10 Personal Wireless Service Facilities, repeal Wireless Telecommunications Facilities Ordinance and replace with new section.
- Section IV, 4.6 Waiver of Dimensional Requirements by the Planning Board, new section allowing Planning Board, during subdivision review process, to approve new non-conforming lots under certain conditions.
- Section VI, 6.1 Parking Requirements, granting Planning Board authority to waive requirements set forth in Section 6.3.
- Section XIII, 13.3 Readopt Growth Management and Innovative Land Use Control Ordinance.
- Section XIII-A, Impact Fees, new section granting authority to Planning Board to require off-site improvements for subdivisions and site plans under RSA 674:21.
- Section IV, 4.4.3 Principal Structure, allowing multiple principal commercial/industrial buildings and uses on a single lot in the B-1 and M-1 districts.

Amended: March 12, 2002 Town Meeting, Article II

- Section III, 3.1 Establishment of Districts and 3.5 Definition of Districts to include the VR-1 (f/k/a R-1), VB-1 (f/k/a B-1), VM-1 (f/k/a M-1) districts.
- Section III, 3.6 Table of Uses as follows:
 - A.1 – Single Family Dwellings in VB-1 changed from a non-permitted use to a use permitted by special exception.
 - A.8 – *Home Business in VB-1 changed from a use permitted by special exception to permitted and in the VM-1 the use remains as a permitted use.
 - E.3 – Year-round Greenhouse in VB-1 change from a use permitted by special exception to permitted and in the VM-1 the use remains as a permitted use.
 - E.5 – Non-Profit Lodge in VM-1 changed from a non-permitted use to a use permitted by special exception.
 - E.6 – Museums, Historical Association or Society in VM-1 changed from a non-permitted use to a use permitted by special exception.
 - F.8 – Motor Vehicle Dealership in VB-1 changed from a use permitted by special exception to non-permitted.
 - F.12 – Airport in VM-1 changed from a use permitted by special exception to non-permitted.
 - F.15 – Commercial Parking Lot in VB-1 changed from a use permitted to non-permitted and in the VM-1 from a use permitted by special exception to non-permitted.
 - F.17 – Beauty Parlor in VR-1 changed from a non-permitted use to a use permitted by special exception.
 - G.3 – Warehousing in VM-1 changed from a permitted use to a use permitted by special exception.
 - G.4 – Freight and Trucking in VM-1 changed from a use permitted by special exception to non-permitted.
 - G.6 – Bulk Storage of Fuels in VB-1 changed from a non-permitted use to a use permitted by special exception and in the VM-1 the use remains as a permitted use.
 - G.7 – Earth Products Removal in the VM-1 changed from a use permitted by special exception to non-permitted.
 - G.11 – Open Storage in VM-1 changed from a use permitted by special exception to non-permitted.
 - G.12 – Closed Storage in VB-1 changed from a use permitted by special exception to non-permitted.
- Section III, 3.10.7.B.1 Personal Wireless Service Facilities Ordinance, Issuance of Conditional Use Permits clarifying the procedures on applications.
- Section III, 3.10.B.2 Personal Wireless Service Facilities Ordinance, Issuance of Conditional Use Permits clarifying appeals of Planning Board decisions.
- Section IV, 4.2 Table of Dimensional Requirements for the VR-1, VB-1 and VM-1 districts.
- Section VI, 6.3 (d) and 6.3 (f) Required Parking by including the requirements for the VR-1, VB-1 and VM-1 districts.
- Section VI, 6.4.1 Parking Size for the VR-1, VB-1 and VM-1 districts.
- Section VI, 6.5.6 Special Exception for use of public parking facilities.
- Section VII, 7.1 Purposes, Signs.
- Section VII, 7.2.4 Special Exception, Signs for the VB-1 and VM-1 districts.
- Section VII, 7.3 Permitted Signs to include the VR-1, VB-1 and VM-1 districts.
- Section VII, 7.4.3 Temporary Real Estate Signs to include the VR-1, VB-1 and VM-1 districts.
- Section VIII, 8.5.1 Cluster Developments, Residential Districts to include the VR-1 districts.
- Section VIII, 8.5.3 Cluster Developments, Dwelling Unit Configuration to include the VR-1 districts.
- Section VIII, 8.6.3 Cluster Developments, Site Size to include the VR-1 districts.

Amended: March 12, 2002 Town Meeting, Article II (Continued)

- Section VIII, 8.6.4 Cluster Developments, Dimensional Requirements to include the VR-1 district.
- Section VIII, 8.6.4 (b) Cluster Developments, Internal Dimensional Requirements by omitting the spacing requirement of 50 feet between structures and in its place require a 25 foot setback from structures.
- Section XV, 15.8.3 (a)(2) and Section 15.8.3 (a)(5) Variances by modifying the standards for unnecessary hardship to be consistent with the New Hampshire Supreme Court decision in Simplex Technologies Inc. v. Town of Newington and by modifying the language concerning the standards for public interest to be consistent with the New Hampshire Revised Statutes Annotated.
- Section XVI, 16.6.1 Affordable Housing Innovative Land Use Control, Where Allowed by including reference to the VR-1 district serviced by municipal sewer and water.
- Section XVI, 16.6.2 Affordable Housing Innovative Land Use Control, Dwelling Unit Configuration to include the VR-1 and VB-1 districts.
- Section XVI, 16.6.3 Affordable Housing Innovative Land Use Control, Dwelling Unit Density to include the VR-1 and VB-1 districts.

Asterisks (*) indicates that Site Plan Review will be required for Home Businesses in the VB-1 and VM-1 districts. For Home Businesses in all other districts they shall comply with Section 3.7.3 as currently noted in the Table of Uses.

Amended: March 11, 2003 Town Meeting, Article II

- Section IV, Paragraph 4.4.3, Principal Structure to allow multiple structures and uses within structures in the Village Commercial (VB-1) and Village Industrial (VM-1) districts, so long as each use is listed as a permitted (P) use or use permitted by special exception (S) in paragraph 3.6 Table of Uses.
- Section VI, Paragraph 6.2, Location of Parking Spaces to change the allowable distance of off-premises parking from 200-feet to 500-feet.
- Section V, Paragraph 5.2.3, Reduction of Parking to allow individuals who have a non-conforming lot the ability to apply to the Zoning Board of Adjustment for a special exception to reduce the number of off-street parking or loading spaces, if already equal to or less than the number required to serve their intended use.
- Section IV, Paragraph 4.2, Table of Dimensional Requirements and Paragraph 4.3, Explanatory Notes by adding a new footnote "i" to the Area column of the Village High Density Residential (VR-1) and Village Commercial (VB-1) districts that would require for each additional dwelling unit an additional 2,000 square feet of land area.
- Section IV, Paragraph 4.2, Table of Dimensional Requirements and Paragraph 4.3, Explanatory Notes by adding a new footnote "j" to the Zone column of the Village High Density Residential (VR-1) and Village Commercial (VB-1) districts that would require when the footnoted commercial or industrial uses abut residential uses or a residential district or are situated in a residential area, the minimum front setback shall be 25-feet and the minimum side setback shall be 25-feet from a property line abutting a residential use or district.
- Section IV, Paragraph 4.2, Table of Dimensional Requirements to increase the Minimum Lot Dimensions and Minimum Setback Dimensions in the Village High Density Residential (VR-1) district.
- Amend the Zoning Map to change the designation of certain lots in Contoocook Village currently included in the Village Commercial (VB-1) and Commercial (B-1) districts to a Village High Density Residential (VR-1) district. Properties affected are located along Cedar Street, Maple Street, Prospect Street, Highland Avenue, School Street and Camp Road, shown on Tax Map 102 as Lots 34 – 60.
- Section III, 3.6.A.3 Table of Uses to change Multi-Family Dwellings from a permitted use to a use permitted by special exception in the Village High Density Residential (VR-1) district.
- Section III, 3.6.A.4 Table of Uses to change Cluster Developments from a permitted use to a use permitted by special exception in the Village High Density Residential (VR-1) district.
- Section III, 3.6.A.7 Table of Uses to change Manufactured Housing Subdivisions from a permitted use to a use permitted by special exception in the Village High Density Residential (VR-1) district.
- Section III, 3.6.E.8 Table of Uses to change Places of Worship including customary ancillary religious facilities from a permitted use to a use permitted by special exception in the Village High Density Residential (VR-1) district.
- Section III, 3.6.E.9 Table of Uses to change Non-Profit Recreational Facilities from a permitted use to a use permitted by special exception in the Village High Density Residential (VR-1) district.
- Section III, 3.6.E.13 Table of Uses to change Town Buildings from a permitted use to a use permitted by special exception in the Village High Density Residential (VR-1) district.

Amended: March 11, 2003 Town Meeting, Article II (Continued)

- Section III, 3.6.E.15 Table of Uses to change Business Offices from a non-permitted use to a use permitted by special exception in the Village High Density Residential (VR-1) district.
- Section III, 3.6.F.11 Table of Uses to change Convenience Stores from a use permitted by special exception to a non-permitted use in the Village High Density Residential (VR-1) district.
- Section III, 3.6.G.2 Table of Uses to change Research and Development Corporate, and Business Offices from a non-permitted use to a use permitted by special exception in the Village High Density Residential (VR-1) district.

Amended: March 9, 2004 Town Meeting, Article II

- Table of Contents, Section VIII by changing the words, "Cluster Developments" to "Conservation Subdivisions".
- Section III, Establishment of Districts and Uses, by changing the words, "Cluster Developments" to "Conservation Subdivisions" in paragraphs 3.5.1, 3.5.2, 3.5.3, 3.5.4 and 3.5.8.
- Section III, Establishment of District and Uses, Table of Uses 3.6.A.4 by changing the words, "Cluster Developments" to "Conservation Subdivisions".
- Section IV, Dimensional and Density Requirements, paragraph 4.3 (b) by changing the words, "Cluster Developments" to "Conservation Subdivisions".
- Section VIII, Cluster Developments by changing the title from "Cluster Development" to "Conservation Subdivisions".
- Section VIII, Cluster Developments by changing the words, "Cluster Development" to "Conservation Subdivision" in paragraph 8.2, 8.4.1, 8.4.1 (c), 8.4.2, 8.5.1, 8.5.2, 8.5.4, 8.6, 8.6.1, 8.6.5, 8.6.7 and 8.6.7 (a).
- Section VIII, Cluster Developments, paragraph 8.5.3 by inserting the word(s), "dwelling" or "dwelling units" in the configuration requirements for the R-4, R-3, R-2, R-1, VR-1 districts.
- Section VIII, Cluster Developments, paragraph 8.5.3 by allowing up to "four" units per building, rather than "eight".
- Section VIII, Cluster Developments, paragraph 8.6.1 by referencing "dwelling units", rather than "building lots".
- Section VIII, Cluster Developments, paragraph 8.6.1 by omitting the requirements that lots created under this section shall not front on an existing Town road, and in its place require that no lot shall utilize access from an existing Town Road with the exception of access to the open space lot for forestry purposes.
- Section VIII, Cluster Developments, paragraph 8.6.2 by indicating that an applicant shall prepare a sketch development plan to demonstrate how the land would be developed using a conventional subdivision, rather than indicating that the Planning Board may require the sketch development plan.
- Section VIII, Cluster Development, paragraph 8.6.3 by reducing the Conservation Subdivision site size requirement for the R-3 district to 45,000 square feet, rather than 60,000 square feet for each detached single dwelling and for the first dwelling unit when there are attached dwelling units proposed. Additionally, clarification to the R-2, R-1 and VR-1 site size by making it clear that the additional 8,000 square foot requirement is for each additional attached dwelling unit, rather than detached units.
- Section VIII, Cluster Development, paragraph 8.6.4 (a) by requiring for external dimensional requirements that there be a 150-foot buffer strip established along an existing public highway. Furthermore, no buildings, driveways, parking areas, lawns, leach fields, or detention basins shall be built within the buffer. Existing trees within the buffer strip shall be maintained, and the Planning Board may require planting of trees or other vegetation if this area has been previously cleared.
- Section VIII, Cluster Development, paragraph 8.6.4 (a) by changing the external side and rear setback requirement from 50-feet to 60-feet to be consistent with the present requirements for conventional subdivisions.
- Section VIII, Cluster Development, paragraph 8.6.4 (b) by specifying a rear setback requirement of 25-feet. Additionally, when there is more than one principal building on a lot in the R-3, R-2, R-1, VR-1 districts, a minimum distance between principal buildings shall be 50-feet. For setback requirements for accessory structures reference is given to Section 4.4.1 of the Ordinance.
- Section VIII, Cluster Development, paragraph 8.6.7 (a) by requiring a minimum of fifty (50) percent, rather than twenty-five (25) percent, of the total site area for common open space. Further changes include typographical corrections to words within the paragraphs.

Amended: March 9, 2004 Town Meeting, Article II (Continued)

- Section VIII, Cluster Development, paragraph 8.6.7 (b) by omitting the paragraph in its entirety as the paragraph requires 100-feet of buffer of open space between the development and existing public highways. Omitting paragraph 8.6.7 (b) will require changing the alphabetical sequence of subparagraphs within paragraph 8.6.7. See proposed amendment to paragraph 8.6.7 (a) requiring a 150-foot buffer.
- Section IX, Manufactured Housing, paragraph 9.4.4 by replacing the word “cluster” with “Conservation Subdivision requirements”.
- Section IX, Manufactured Housing, paragraph 9.5.3 by changing the words “Cluster Development to “Conservation Subdivision”.
- Section XVI, Affordable Housing Innovative Land Use Control, paragraph 16.6.1 by changing the words “Cluster Developments to “Conservation Subdivisions”.
- Section XVI, Affordable Housing Innovative Land Use Control, by changing the words “Cluster Development” to “Conservation Subdivision” in paragraphs 16.6.3, 16.6.4 and 16.6.5.

Amended: March 14, 2005 Town Meeting, Article II

- Section III, paragraph 3.6.1, Use Regulations.
- Section IV, 4.3 Table of Dimensional Requirements, Section 4.3 Explanatory Notes, Section 4.4.3 Principal Structure, to include a maximum gross floor area of 40,000 square feet for commercial retail stores and restaurants within the B-1 (commercial) and M-1 (industrial) districts and a maximum gross floor area of 20,000 square feet for commercial retail stores and restaurants within the VB-1 (village commercial) and VM-1 (village industrial) districts.
- Section IV, paragraph 4.7, Increased Shoreland Protection Standard.
- Section IV-A, Architectural Design Review Ordinance to include architectural design criteria for non-residential and multi-family structures.
- Section V, paragraph 5.1.1, Expansion of Non-Conforming Lot Area.
- Section V, paragraph 5.1.2, Expansion of Non-Conforming Use.
- Section V, paragraph 5.4.5, Dumping or Disposal of Garbage and other Refuse.
- Section V, paragraph 5.6, Open Storage in the Industrial (M-1) Zone.
- Section XV, paragraph 15.8.3 Variances by modifying standards for unnecessary hardship to be consistent with the recent New Hampshire Supreme Court decision in Michael Boccia v. City of Portsmouth.
- Section XVIII, Outdoor Lighting Ordinance by including certain criteria and restrictions on exterior lighting. The addition of the Outdoor Lighting Ordinance required changing the numerical sequence of section of the Zoning Ordinance.

Amended: March 14, 2006 Town Meeting, Article II

- Readopt Section XIII Growth Management and Innovative Land Use Control Ordinance for an additional five (5) years.
- Section XIII, subsection 13.4 (b) Indicators of Growth Impact by clarifying that the most recently published average annual population growth for Hopkinton would be used in determining whether the population growth exceeds the same average of the combined seven abutting communities.
- Section XIII, subsection 13.4 (c) Indicators of Growth Impact by clarifying that the number of public students enrolled or projected for the coming year for the combined schools, rather than individual schools, in the Hopkinton school system would be used in determining whether the enrollment exceeds ninety (90) percent of its stated capacity.
- Section XIII, subsection 13.4 (d) Indicators of Growth Impact by clarifying that the average annual full value tax rate for Hopkinton will be compared to the average annual full value rates of the combined seven abutting communities.
- Section XIII, subsection 13.4 (f) Indicators of Growth Impact by specifying that the number of public students enrolled or projected for the coming year for the combined schools, rather than individual schools, in the Hopkinton school system would be used in determining whether the enrollment exceeds one hundred (100) percent of its stated capacity.

Amended: March 13, 2007 Town Meeting, Article II

- Section XV, Zoning Board of Adjustment, inserting subsection 15.12 Expiration of Special Exception and Variances by specifying that Special Exceptions and Variances would expire upon two (2) years of disuse or discontinuance. The provisions of subsection 15.12 shall apply only to Special Exceptions or Variances granted after the effective date of this paragraph.
- Section II, 2.1 Definitions by inserting the definition of Designated Open Space and changing the numerical sequence of remaining definitions.
- Section II, 2.1 Definitions by inserting the definition of Open Space, Designated and changing the numerical sequence of remaining definitions.
- Section III, 3.6 Use Regulations by omitting Table of Uses 3.6.A.4 pertaining to Conservation Subdivisions and changing the numerical sequence of remaining elements.
- Section IV, 4.1 General Requirements, 4.2 Table of Dimensional Requirements, 4.3 Table of Dimensional Requirements by inserting reference to Section VIII Conservation Subdivisions for the subdivision of land for residential purposes.
- Repeal Section VIII Conservation Subdivisions and replace with a new section entitled the same. New section establishes standards for residential development of land in conjunction with the permanent protection of a portion of the property as undeveloped open space. The revisions will require applicants to provide detailed information on a parcel and receive input from the Planning Board and public on their preferences for the layout of the subdivisions, prior to submitting a completed application. Revisions included a specific formula to determine the allowable number of dwelling units; providing incentives for conserving a greater portion of the property; providing public access, or protecting the land with a permanent conservation easement; and includes additional criteria with regards to the layout, allowed uses, and long-term management and protection of open space. The conservation subdivision approach will be the first option for all larger developments with conventional subdivisions only being permitted under specific conditions.
- Section II, 2.1 Definitions by inserting the definition of Construction and Demolition Debris and changing the numerical sequence of remaining definitions.

Amended: March 11, 2008 Town Meeting, Article II

- Section V, 5.4.7 Junk Vehicles by replacing paragraph with new language that allows no more than one uninspected motor vehicle may remain within any residential district unless the vehicle and its parts are enclosed within a building. New title 5.4.7 Uninspected Vehicles.
- Section XVII Floodplain Development Ordinance by amending as necessary to comply with requirements of the National Flood Insurance Program.

Amended: March 10, 2009 Town Meeting, Article II

- Section III, by correcting the referenced section in Table of Uses 3.6.G.7 Earth Products Removal.
- Section III, by inserting Table of Uses 3.6.H.16 Small Wind Energy Systems.
- Section III, by inserting a new subsection 3.11 Small Wind Energy Systems that includes the authority, purpose, definitions, and procedures for review, standards, abandonment, and violation and penalties.

Amended: March 9, 2010 Town Meeting, Article II

- Section XV, 15.8.3 Variances by replacing the criteria required to demonstrate an “unnecessary hardship” with the new statutory definition RSA 674:33, I (b), effective January 1, 2010.
- Section XV, 15.8.3 Variances by omitting language with respect to decisions of the Board of Adjustment based on evidence presented, rather than allegations contained in the application.
- Section XVII, Floodplain Development Ordinance by updating the effective date of the Flood Insurance Study and Flood Insurance Rate Maps so that all lands designated as special flood hazard areas by the Federal Emergency Management Agency in its “Flood Insurance Study of the County of Merrimack, NH” dated April 19, 2010, together with the associated Flood Insurance Rate Maps dated April 19, 2010, are declared to be part of the Hopkinton Floodplain Development Ordinance. This amendment is necessary in order for Hopkinton to remain enrolled in the National Flood Insurance Program (NFIP).